

BURLINGTON CITY COUNCIL REGULAR SESSION SEPTEMBER 3, 2014

City of Burlington Governing Body met in Regular Session at City Hall, 301 Neosho Street, Burlington, Kansas at 6:00 p.m. Wednesday, September 3, 2014. Mayor Gene L. Merry called the meeting to order.

ROLL CALL: ☒ Mayor Gene L. Merry

Council Members present:

☒ William C. Scott (President of Council)

☒ Jane M. Griffith

☒ Lewis Lenard

☒ R. Standley Luke (Stan)

☒ Forrest T. Rhodes

☒ Jerilyn Curtiss

Superintendents Present:

☒ Kevin Boyce (Parks)

☒ Alan Schneider (Electric)

☒ Doug Jones (Chief of Police)

☒ Doug Mast (Street)

☐ Danny Hawkins (Water/Wastewater)

Also Present: ☒ Regina Kewley (City Clerk)

☒ Jimmy Hugunin (Zoning & Grants Clerk)

☒ Thomas F. Robrahn (City Attorney)

☒ Susan Stroh (Administrative Assistant)

Media Present: Mark Petterson (Coffey County Republican)

VISITORS: None

AGENDA: *Council Member Scott stated, "I move to approve the agenda as amended." Council Member Luke, "I second the motion." Motion unanimously carried.*

MINUTES: *August 20, 2014: Council Member Luke, "I move to accept the Draft Minutes of Council's regular session of August 20, 2014 as presented." Council Member Curtiss, "Second." Motion unanimously carried.*

APPOINTMENT: None

PUBLIC COMMENTS: None

ELECTRIC DEPARTMENT: Distribution Updates

General: Superintendent Schneider reported distribution personnel have been doing normal duties including work orders, locates, and customer requests. They are still installing electric meters for the AMI project, and are close to being done. Personnel have been trimming trees. Although the rain is needed, it has slowed installations and some other work. Superintendent Schneider said he is splitting personnel into two crews and hopes to catch up by Friday.

Power Outages: Since last meeting of Council, electric crews worked two outages due to wind.

ELECTRIC DEPARTMENT: Power Plant/Production Update

General: Power Plant personnel are doing daily duties, general Power Plant maintenance, and required reports.

Old Plant: Personnel are still doing some work on the generator cooling system at the old plant.

City-wide power outages - explanation/repair: Superintendent Schneider stated, "I want to give everybody an explanation about the major power outage last week, and the one that occurred right before the last meeting of Council. When we had the first outage, I did some pretty major research on the cause and made contact with Westar to see if they had anything logged on their system showing any outage. They didn't see anything there; so we determined it was on our side of the tie-breaker."

"We had Mid States Energy in to help us. After the second time it tripped and caused another outage in town, we did find that our tie-breaker relay was malfunctioning. Basically, whenever it was generating, that side of that relay was shorting out, getting hot, timing out, and kicking power off. It was pretty aggravating for a while, but we got the issue addressed."

Automated Meter Infrastructure Project - explanation: Superintendent Schneider said, "Danny is not here, but I want to talk about the AMI project. Landis+Gyr came onsite last week. We've been having some issues with the RF frequency leaving the water meter pits with the metal lids on them. It's been a bit of a challenge getting things going, but the result is we have a new crew that came in last week that deals specifically with public power and the challenges with our infrastructure that are different than with rural area."

"Basically, we have a new work group that focuses just on this, and we have a new project manager. They were here for two days, and every concern/every issue we had has been addressed. The issue when we went through the process of starting the project and determining what system we were going to use, we were told - and at the time they believed - that the metal lids on our water meters would be sufficient to let that RF signal out. Well since then they've changed their engineering structure and it's a no go; and anybody that deploys that system now has to use composite lids or they are not going to guarantee the system."

"The good thing is that Landis+Gyr acknowledged what we've been through, some of the challenges, and what we were told during the presentation. Landis+Gyr is going to buy every composite lid for the City of Burlington. That adds up to a lot of money, and they're doing that for us for our challenges and frustrations we have had. Danny is ready to follow behind everything we've done. The one we fixed while Landis+Gyr was here is working great. That's an overview of a few of the challenges we've been having"

Mayor Merry inquired whether vehicles could be driven over the composite lids, and he wondered how strong the composite lids are. Superintendent Schneider, "Yes. Yes, the ones on the driveways. I guess they engineer some of those for that situation. Like I said, they're picking up that tab, which is a really great thing." Mayor Merry, "Are they going to take our old ones?" Superintendent Schneider, "No, I don't think so. I think we're stuck with them. Maybe they're some good scrap metal. I don't know what Danny is going to do with them."

[2] CONTINUATION: September 3, 2014 Burlington City Council Meeting

ELECTRIC DEPARTMENT: Personnel - Recommendation to Hire First Year Apprentice Lineman

Superintendent Schneider reported, "Gina, Stan, and I interviewed applicants yesterday. We had ten applicants and interviewed five of them. In my opinion, we were pleased with all the applicants we interviewed, which didn't make our decision real easy; but one stood out a little more than the others. We would like to make an offer of the Apprentice I position to Bryson Olson. Bryson has already been through the Manhattan Area Vo-Tech and got his Electrical Power Distribution Certificate. He is a certified pole climber, pole top rescue. He already has his CDL, and has worked a couple of internships out of Fredonia during part of his schooling. We'd like to recommend hiring him at the entrance wage of \$15.95 per hour."

Council Member Luke stated, "I move to extend an offer of employment as First Year Apprentice Lineman to Bryson Olson, at the starting hourly salary of \$15.95." Council Member Curtiss, "I second the motion." Hearing no discussion on the motion, Mayor Merry called for a vote. Motion unanimously carried.

Superintendent Schneider said, "He wants to start work on Monday. He just got laid off from Radiant Electric in Fredonia and is ready to work." Mayor Merry, "If that's okay with the Electric Committee Chairman." Council Member Curtiss said, "It's fine with me."

WATER DEPARTMENT: Distribution Update

Council Member Curtiss presented Superintendent Hawkins' report as follows:

Waterline Replacement Project - Update: The Water Department has mainly been working in the field doing waterline replacement. They began the tie-ins for St. Lawrence, starting at the corner of 6th and St. Lawrence, and are working their way west. There are still over 700 feet of waterline that we are installing, along with fire hydrants and valves.

General: Along with fieldwork they have done work orders, line locates, and general duties. Council Member Curtiss said the rest of the report would sound a lot like a repeat of the Electric Superintendent's report.

Automated Meter Infrastructure Project - Update: Taylor Torgerson and her team from Landis+Gyr and Master Meter came in the week of the 25th of August and worked on trouble shooting our water meter modules. There was much achieved during their trip. Since the Electric Department has blanketed the eastern part of town with their electric meters, we will deploy our water meters behind them. Landis+Gyr assured us that this will help our water module glitches. Also, Landis+Gyr, at their expense, will replace ALL our metal meter pit lids associated with the AMI project with the plastic composite lids. This is to help with the signals.

WATER DEPARTMENT: Water Production Update

Plant Update: The Water Plant has been running fine. There have been no changes in the operations of the Plant.

Water Drought Emergency-Warning (update): Drought Water Emergency Update was provided and the report to be published on September 5th is as follows: Rain in County: Up to 3" in past few days; Rain Forecast: Some rain forecasted; Pumped: Since August 27, pumped 3,850,000 gallons of water; Daily Average: 550,000 gallons; Outlook: No new Restrictions.

STREET DEPARTMENT: Update

Superintendent Mast presented his report.

Sanders Street Rebuild: The Sanders Street rebuild from Shea to Highway 75 has been completed.

Alley work: Street personnel put some rock in and bladed the alley by Floyd Hammond's house.

Burlington RV Park: A culvert was installed for Larry Crotts' Burlington RV Park on west Hudson Street.

6th Street Bridge - rail: Superintendent Mast reported, "We had to rebuild the handrail on the 6th Street bridge. We had an accident there. We've given the costs associated with that to Anne (Deputy City Clerk), and that will be charged back with insurance."

Chip Sealing: All chip sealing is done, and personnel swept up the extra chips. They chip sealed twenty blocks this year.

Street Work Scheduling - explanation: Superintendent Mast said, "I have had several people asking questions. They want to know why we do certain streets and why we don't do other streets. Every year, we have the engineer come in (Norm Bowers, Bowers System Engineering for our Pavement Management System). The engineer, Mark Davidson (Street Foreman), and I go out and look at the streets. We decide which ones are the best candidates for repairs and maintenance, and which ones we can afford to replace. That's the way we go about it each year. It's a lot cheaper to keep the roads repaired than it is to let them go and have to rebuild them. I've been asked, 'Why are you working on this street, it looks fine?' Yes, it looks fine; but the reason for it is because if we don't, then it won't be fine and we will have major problems. So, we try to keep the maintenance done; and then we rebuild streets as much as we can per year based on how much money we have."

"We've been trying to knock out sections of town as well. We've just about got the north end of town knocked out; and we've just about got the east part of town knocked out - along with trying to do some rebuilds in

[3] CONTINUATION: September 3, 2014 Burlington City Council Meeting

other parts of town and doing some maintenance in the other parts of town as well. Most of our rebuilds that are left are going to be on the southwest part of town; and it will take some time to get through those. It is not going to be quick because that's the expensive part of doing business, and we will still have to do all this maintenance in the same timeframe."

Mayor Merry, "You're at about 80% now?" Superintendent Mast, "Somewhere around 75% to 80%. I believe Norm is talking about coming the first part of October. We will do a total re-evaluation of all the streets, as well as our plan for the year. When he gets done with his re-evaluation, Norm will come to Council with a presentation to let you know where we started, how far we've gained, and how much more we've got to do. It won't be a quick process to finish the last part, it will take some time. Hopefully, that helps you if you get questions. I've had more questions this year than any other year; and I try to explain the best I can."

POLICE DEPARTMENT: Update

OK Kids: Chief Jones reported the OK Kids event is this coming weekend at John Redmond Reservoir, and mentioned the extensive article in The Coffey County Republican. He said, "I've talked to a lot of people around the state and nobody in this state has anything remotely close to this OK Kids event we put on. It is going to be a pretty good deal."

Drive Thru Flu Shots and Drug Take Back Program: Chief Jones reported that both the Drive-Thru Flu Clinic and the Unused Drug Take-Back Initiative with Drug Enforcement Administration (DEA) will be on October 3rd at Coffey County Hospital Ambulance Bay.

General: Chief Jones reported the BPD has been handling normal calls.

Police Building Construction - update: Construction on the new building is progressing. Chief Jones talked with the contractor (Abendroth Builders) who believes his completion date is still about four to five weeks out, so it should be the end of this month or early October.

Nuisances - Structures: Chief Jones reported the Mayor and he have been discussing nuisance properties, houses, and buildings around town. Properties on the Mayor's list were already on his list, but Chief Jones did add more. They hope that when they start aggressively pursuing abatement of some of the nuisance properties, other property owners will take the initiative to abate theirs. He said, "I realize some of the people do not have the resources to deal with it themselves. A couple of the properties have been on Rhonda's demolition list through the Coffey County Housing Authority for a couple of years now, and the money simply hasn't been there to take care of it. What that means is, if the case proceeds through the condemnation and bids for demolition, the City will be on the hook initially for the layout (payment) for the contractor to demolish; then the cost will be billed to the property owner; and if they don't pay it, it will be assessed against the property and the City will get it back eventually. But, it does mean that the City could be on the hook for a substantial amount of money - and by substantial, I mean we could be looking at \$20,000 to \$30,000."

Chief Jones concluded, "These are properties that need demolished. So, what I'm asking for is consensus of the Council that you are willing to foot the bill to get this process rolling and we can get started; because I am talking about 45 to 60 days out and going out to bid for a contractor. If I have to bid out every property on the list, we could easily be talking in excess of \$20,000; so I need your support to do that."

Mayor Merry commented, "If you bid five or six of them at a time, you're probably more likely to get better pricing. If you start this time of year, if you start in the winter, the contractors should be freed up and will be able to do it." Chief Jones, "I think LeRoy did three houses fairly recently, and they averaged \$1,500 to \$2,000 each." Mayor Merry, "They're probably going to be a little more and some won't be. But, I think what we have to look at is how much time you and your officers have spent going out, doing paperwork, and holding their hand for years and years and years. We need to get this over with. It's costing us \$20,000 to \$30,000 a year to keep messing with it."

Mayor Merry said, "I talked with Gina about this. My recommendation is that we possibly fund it out of infrastructure money (City/County). We may have to get permission from the Commission. They have not put any money into the Housing Authority, and it doesn't look like they're going to in the near future. If we could take \$20,000 to \$25,00, or if they (the property owners) decide they want to sell these and in lieu of disposal costs deed them to the City; and we take the lots and turn around and sell them - that's a possibility for some of the property owners who can't afford the demolition. I don't know. Tom, you would have to answer that." Attorney Robrahn stated, "I think that sounds like a good solution." **Mayor Merry stated, "I would like a motion from the Council to show our complete support for the Chief to go ahead on this endeavor to clean up the last sixteen to twenty junk yards. Do we have a motion?"**

Council Member Rhodes made the motion, "I move to show complete support for Chief of Police Jones to proceed with the endeavor to abate his list of up to twenty nuisance structure properties as discussed above, at a possible initial cost to the City of Burlington, not to exceed \$30,000, possibly out of City/County Infrastructure Funds, or by property deeded to the City in lieu of demolition costs." Council Member Griffith, "Second." Hearing no discussion on the motion, Mayor Merry called for a vote. Motion unanimously carried.

PARKS DEPARTMENT: Update

General: Parks personnel have been doing normal duties, including mowing and weedeating, cleaning public restrooms and buildings, and equipment maintenance.

[2] CONTINUATION: September 3, 2014 Burlington City Council Meeting

Tree Trimming: Superintendent Boyce reported that the Parks Department did some tree trimming and removed a hazard tree at the City Dam. Due to windstorms, there have been some damage to trees and they removed a few branches, including one behind the Parks Department by the Public Transportation Building. Above the RV parking spaces at Drake Park, three large branches were hung up and needed removed. Also, north of the restroom the top of a good sized Walnut tree was dead, so they removed it. Low hanging branches were trimmed to make it easier to mow.

Kelley Park - Stadium Painting: Blue Sky Painting and Restoration has completed painting the iron at the Stadium. There is a hundred percent improvement; it looks a lot better.

Jones Park Tennis Court: MAC McConnell & Associates Corporation has completed the Jones Park Tennis Court Repair.

Sod Replacement for Caboose Park and Veterans Park: Superintendent Boyce said the contractor, Bones Landscape Company. is planning to start the sod replacement on Monday, the 15 of September or on the 22nd, weather permitting.

FINANCE: Claims Ordinance & Payroll Ordinance

a.	Claims Ordinance	2014-16	<u>\$154,662.89</u>
b.	Payroll Ordinance	2014-18	<u>\$ 73,994.04</u>
	TOTAL		\$228,656.93

CLAIMS 2014-16: Council Member Luke, *"I move City of Burlington pay Claims Ordinance 2014-16 in the amount of \$154,662.89 for payment of city bills."* Council Member Scott, *"Second."* Mayor Merry called for discussion. City Clerk Kewley explained that tonight we are paying \$72,240 to Doonan Truck & Equipment for the Street Department's 2015 Dump Truck and Chassis. **Hearing no further discussion, Mayor Merry directed City Clerk Kewley to poll Council for a vote. All votes were in favor. Mayor Merry declared Claims Ordinance 2014-16 approved by unanimous vote.**

PAYROLL 2014-18: Council Member Scott stated, *"I move City of Burlington pay Payroll Ordinance 2014-18 in the amount of \$73,994.04."* Council Member Luke, *"I Second it."* Hearing no discussion, Mayor Merry directed City Clerk Kewley to poll Council for a vote. **All votes were in favor. Mayor Merry declared Payroll Ordinance 2014-18 approved by unanimous vote.**

PLANNING & ZONING: Update

Electronic Media: Zoning Clerk Hugunin said he has been updating the City webpage and Facebook page. He explained that to resolve some issues we've had with email boxes getting full and shutting down, IM Design will put us on a new server with two or three times the storage capability as we currently have. Email addresses will remain the same.

General: Zoning Clerk Hugunin is working on permits and is preparing approved permits to submit to the County Appraiser.

Industrial Park #3 - Deed (Lots 3 & 4) Zoning Clerk Hugunin is still working with City Attorney Robrahn to prepare the warranty deed to transfer Lots 3 and 4 in Industrial Park #3 to Mike Abendroth.

Industrial Park #3 - McBride's Hay Lease: Zoning Clerk Hugunin has been working with Attorney Robrahn on the lease Doris McBride has with the City to hay the pasture, if Mike Abendroth still wants her to continue leasing the property.

WildBlue BBQ: Yesterday, Zoning Clerk Hugunin went to the WildBlue BBQ meeting with the Mayor.

Recreation Commission Meeting for New Pool: Today, Zoning Clerk Hugunin attended the pre-construction meeting for the new outdoor Aquatic Center (swimming pool). They're going to start getting permits. He thinks they are going to start demolishing the old one possibly next week. Crosswinds Construction's projected completion date is May 1, 2015. Zoning Clerk Hugunin said they are supposed to be bringing all the plans to City Hall. Mayor Merry commented that the City is waiving the building permit fees.

PERMITS: Zoning permits issued by Zoning Clerk Hugunin: None

LEGAL DEPARTMENT: Update

Warranty Deed for Mike Abendroth: City Attorney Robrahn commented on the warranty deed being prepared for Mike Abendroth, "The legal description is a little tricky and that you've got to be sure you are using the correct Industrial Park number."

Nuisance Structure Demolition: Mayor Merry asked Attorney Robrahn to review the demolition of structures discussed earlier and the legality of accepting property deeded to the City in lieu of demolition costs.

[5] CONTINUATION: September 3, 2014 Burlington City Council Meeting

CITY CLERK’S OFFICE: Update

General: City Hall Staff have been handling calls and inquiries, handling work orders, and preparing meeting minutes, reports, vouchers for paying bills, and payroll.

Set-Off Program/Delinquent Utilities: City Clerk Kewley informed Council that in September we will be sending \$2,492.00 in delinquent utility accounts to the Kansas Set-Off Program for collection from state income taxes.

Utility Level Pay Plan: City Clerk Kewley reported it is the time of year customers can sign up for the Utility Level Pay Plan, and they can do so through the 20th of October. During this time, we also recalculate the existing level pay accounts and make any necessary adjustments.

Applicant Interviews: City Clerk Kewley participated in yesterday's interviews of applicants for the First Year Apprentice Lineman position.

Presentation of 2013 Audit: Sean Gordon, Mize Houser & Company, will present the City's 2013 Audit at the September 17th meeting of Council.

Electric Rate Increase: City Clerk Kewley reported, "The new electric rates went into effect with this last billing. We have had a few people inquire on the rates."

MAYOR'S COMMENTS: None

FUTURE AGENDA ITEMS:

GENERAL City Debt – How to fund projects City Code Re-codification Service/Allied Waste Agreement Renewal Mayor’s Volunteer Program Cyber Security -- KPP System Test/Training		GAAP – Infrastructure Capitalization Actuaries – GASB-45 Downtown Loan Program - revamp Audit for 2013 - Presentation
ELECTRIC DEPARTMENT: GIS system Emissions Standards Compliance/EPA KPP Fall Planning Retreat 9/26/2014		Automatic Meter Infrastructure for Electric & Water (AMI) Natural Gas
PARKS DEPARTMENT: Fair Board’s new Building UHCA Event in Kelley Park - October 2014 (Jim Ochs) Scout Jamboree in September 2014 Caboose Park & Veterans Park - Sod Replacement Project		City Dam West Wall Project (sidewalk/steps, etc.) Hazard Tree Removal Responsibilities for Kelley Park Use LED Solar Lighting for Walking Trail
LEGAL DEPARTMENT: Municipal Court Abendroth's Warranty Deed-Industrial Park # Lots		McBride's Hay Lease - update
PLANNING AND ZONING Quarterly Construction Valuation Report Comprehensive Development Plan – Update Industrial Park Lots MT Wireless/MT Networks Relocation to N 4th St.		Work w/Chief on Nuisance Structure regulations Zoning Inquiries Wal-Mart Express in Commerce Park Grant for LED Solar Lighting for Walking Trail
POLICE DEPARTMENT Nuisance Updates New PD Building-Construction Update Nuisance Structures Demolition - Update on Funding/Project		Personnel – Training Updates Nuisance- 211 Neosho (Chandler) and at 6th & Yuba (Trailers)
STREET DEPARTMENT: Heather Street - Concrete Panels Sidewalk Replacement Repairs on City Rights-of-Way Pavement Management System/Asset Management System		Rebuild/Repair Kennedy Street and 14 th Street Barricades 9/27/2014 for Pink-It-Out Municipal Parking Lot
WATER & WASTEWATER DEPARTMENT:		
Neosho Riverbank Stabilization	Southwest Sewer Project	Water Pressure Study
Water Plant Improvements–Efficiency	Waterline Replacement Project	SCADA System
John Redmond Reservoir – Dredging	Water Emergency - Warning (Update)	

Mayor Merry declared the meeting adjourned.

Approved by the Governing Body and signed by Regina R. Kewley, City Clerk